

## **REMARKS/ARGUMENTS**

Previously, the Examiner indicated that Claims 3-5, 9-13, 15-16 and 19 would be allowable if rewritten in independent form. In the present Examiner's Action, the Examiner has indicated that Claims 4-5, 8-13 and 19 would be allowable if rewritten in independent form. The Applicants believe all of the pending claims are allowable.

The Applicants originally submitted Claims 1-16 in the application. In previous responses, the Applicants added Claims 17-19, amended Claims 1, 4, 7-9, 12-16 and 18, and canceled Claim 17. In the present response, the Applicants have amended Claims 1-7 and 14-16. Presently, no other claims have been amended, added or canceled. Accordingly, Claims 1-16 and 18-20 are currently pending.

### **I. Rejection of Claims 1-2 and 6 under Nonstatutory Double Patenting**

The Examiner has rejected Claims 1-2 and 6 under the judicially created doctrine of obviousness-type double patenting over Claim 1 of U.S. Patent No. 6,297,706 ('706) in view of U.S. Patent No. 5,103,117 to Voorman, *et al.* The Applicants disagree since the nonstatutory double patenting rejection is improper.

As noted by the Examiner, nonstatutory double patenting is based on the judicially created doctrine grounded in public policy to prevent the unjustified or improper timewise extension of the "right to exclude." (*See Examiner's Action*, page 2.) As recognized by the Examiner, Claim 1 of '706 does not teach or suggest each element of independent Claim 1 and dependent Claims 2 and 6 of the present invention. To cure this deficiency, the Examiner cites Voorman.

As discussed below, Voorman does not cure the deficiencies of '706 in view of amended Claim 1. More specifically, Voorman does not teach or suggest a latch including an active load connected to receive as input a current output of a trans-admittance circuit and produce a voltage output that is received by the trans-admittance circuit to control at least one element thereof as recited in amended Claim 1. Accordingly, the cited combination of the claims of '706 and Voorman does not provide a *prima facie* case of obviousness of Claim 1 and Claims dependent thereon. Claims 1-2 and 6, therefore, are not unpatentable in view of the claims of '706 and Voorman. Thus, the Applicants respectfully request the Examiner to withdraw this rejection and allow issuance of Claims 1-2 and 6.

## **II. Rejection of Claims 1-3, 6-7 and 20 under 35 U.S.C. §102**

The Examiner has rejected Claims 1-3, 6-7 and 20 under 35 U.S.C. §102(b) as being anticipated by Voorman. The Applicants respectfully disagree since Voorman does not teach each element of independent Claims 1 and 7. More specifically, Voorman does not teach a latch including an active load connected to receive as input a current output of a trans-admittance circuit and produce a voltage output that is received by the trans-admittance circuit to control at least one element thereof as recited in Claims 1 and 7.

Voorman is directed to a latch circuit including a differential amplifier for amplifying a data signal and a flip-flop for latching the amplified data signal across load impedances. (*See* the Abstract and column 1, lines 7-26.) Voorman discloses a latch circuit having a clocked circuit that receives a complementary data signal to latch. (*See* column 3, line 43 to column 4, line 38 and Figure 1.) The latch circuit, however, does not disclose an active load that produces a voltage

output that is received by a clocked trans-admittance stage circuit to control at least one element thereof as recited in independent Claims 1 and 7. On the contrary, the elements of the clocked circuit in Voorman are controlled by a clock signal, not a voltage output from an active load. (*See* column 4, lines 1-3 and Figure 1.) Voorman, therefore, does not teach each element of amended Claims 1 and 7.

Since Voorman does not disclose each and every element of independent Claims 1 and 7, Voorman does not anticipate Claims 1 and 7 and Claims dependent thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §102 rejection with respect to Claims 1-3, 6-7 and 20 and allow issuance thereof.

### **III. Rejection of Claims 14-16 and 18 under 35 U.S.C. §103**

The Examiner has rejected Claims 14-16 and 18 under 35 U.S.C. §103(a) as being unpatentable over Voorman in view of U.S. Patent No. 5,606,490 to Hong. The Applicants respectfully disagree.

The Examiner recognizes that Voorman does not teach or suggest a second latch circuit independently coupled to a first latch circuit as recited in independent Claim 14. To cure this deficiency, the Examiner cites Hong to teach a circuit having cascaded latch circuits to increase delay time. (*See* Examiner's Action, page 5.) Hong is directed to a current limiter for a voltage/frequency type inverter in which continuous and reliable operation is guaranteed by blocking the output of the inverter based on an output current. (*See* column 2, lines 22-28.) As asserted by the Examiner, Hong discloses a current limiter having latches for creating a delay. (*See* column 2, lines 54-65.) The latches of the current limiter in Hong, however, are not independently clocked. On the contrary,

each of the delay latches (*i.e.*, 22a, 22b, 22c, 22d) are driven by the same clock signal. (*See* Figure 2.)

Thus, Hong does not teach or suggest coupled latches that are independently clocked. Accordingly, the cited combination of Voorman and Hong does not teach or suggest a latch pair including a first combined trans-admittance and trans-impedance stage coupled to an independently clocked second combined trans-admittance and trans-impedance stage wherein each of the first and the second combined stages have an input and an output as recited in independent Claim 14. Voorman and Hong, therefore, do not provide a *prima facie* case of obviousness of Claim 14 and Claims dependent thereon. As such, claims 14-16 and 18 are not unpatentable in view of the cited combination of Voorman and Hong and the Applicants respectfully request the Examiner to withdraw the §103(a) rejection and allow issuance thereof.

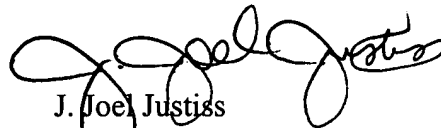
#### IV. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-16 and 18-20.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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